

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

**NOTICE OF MOTION NO.675 OF 2005
IN
WRIT PETITION NO.508 OF 1993**

Mr.Hasmukhlal Desai .. Petitioners
V/s
Union of India & Ors. .. Respondents

Mr.Prakash Shah i/by M/s.PDS Legal for the Petitioners.
Mr.A.S.Rao for the Respondent.

**CORAM: DR.S.RADHAKRISHNAN &
J.P.DEVADHAR, JJ.**

DATE : 13.01.2006.

P.C.:

1. Heard the learned Counsel for the parties. By this Notice of Motion, the Petitioners are seeking to recall the order dated 2nd July, 2003 whereby the Petition was dismissed in default. Perused the affidavit in support of the Notice of Motion. For the reasons stated therein sufficient cause is made out for recalling the order dated 2nd July, 2003. There is no case of inaction, negligence or want of bonafide on the part of the Petitioners. Hence, Notice of Motion is made absolute in terms of prayer clauses (a) and (b).

(DR.S.RADHAKRISHNAN, J.)

(J.P.DEVADHAR, J.)